

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  AT&T COMMUNICATIONS OF THE MIDWEST, INC.	DOCKET NO. TF-99-127
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**ORDER PERMITTING WITHDRAWAL OF TARIFF AND  
DISMISSING RESISTANCE AS MOOT**

(Issued May 24, 1999)

On April 30, 1999, AT&T Communications of the Midwest, Inc. (AT&T), filed a proposed new access tariff with the Board, identified as TF-99-127. On May 14, 1999, U S WEST Communications, Inc. (U S West), filed a resistance to the AT&T tariff, alleging that when AT&T filed the tariff it failed to serve notice of its filing on registered interexchange utilities, as required by IOWA ADMIN. CODE 199-22.14(4) (1999). U S West asked the Board to order AT&T to serve all registered interexchange carriers and file an affidavit of service, as required by the rules, and to extend the time for filing a resistance to the tariff to 14 days from the date service is made.

On May 18, 1999, AT&T requested that the access tariff filed with the Board on April 30, 1999, and identified as TF-99-127, be withdrawn from consideration due to an inadvertent failure to fulfill the notice requirements of IOWA ADMIN. CODE 199-22.14(4). AT&T stated it will file a new access service tariff with an affidavit

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listing all interexchange utilities notified in accordance with Board rules at some time in the near future.

The Board finds that AT&T should be permitted to withdraw its tariff, without prejudice to re-filing. This makes U S West's resistance moot, and it will accordingly be denied.

**IT IS THEREFORE ORDERED:**

1. The request to withdraw tariff submitted by AT&T Communications of the Midwest, Inc. with respect to TF-99-127, is granted.

2. The "Resistance To Tariff Filing" filed by U S WEST Communications, Inc., on May 14, 1999, is denied because it is rendered moot by AT&T's subsequent withdrawal of its proposed tariff.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.  
Executive Secretary

Dated at Des Moines, Iowa, this 24<sup>th</sup> day of May, 1999.